

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re WYTHE BERRY FEE OWNER, LLC,

WYTHE BERRY FEE OWNER, LLC,
Plaintiff(s),

v.

WYTHE BERRY LLC, YOEL GOLDMAN,
AND ZELIG WEISS,
Defendant(s).

23-CV-9358 (DEH)

ORDER

DALE E. HO, United States District Judge:

As stated at ECF No. 30, Rule 8018 of the Federal Rules of Bankruptcy Procedures (“FRBP”) provides that Appellant has 30 days after the docketing of notice that the record has been transmitted or is available electronically to file its opening brief. The notice of record was filed on November 21, 2023. Accordingly, Appellant was required to file its opening brief by December 21, 2023. That date has passed, and no such brief has been filed.

Accordingly, Appellant is hereby ORDERED to submit its opening brief by no later than **January 8, 2024**. As previously stated at ECF No. 3, failure to comply with the Court’s Rules, this Order, and/or the time limits outlined by the FRBP will result in dismissal of the appeal (in the case of the appellant) or consideration of the appeal without an appellee’s brief (in the case of the appellee).

SO ORDERED.

Dated: January 4, 2024
New York, New York

A handwritten signature in black ink, appearing to read "Dale Ho", written above a horizontal line.

DALE E. HO
United States District Judge